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Attorney for Defendant JONES

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,	)	CR. NO. 02-00362 (DAE)
	)	
Plaintiff,	)	
	)	
	)	
vs.	)	
	)	MOTION FOR EARLY
	)	TERMINATION OF SUPERVISED
FREDERICK S. JONES	)	RELEASE; DECLARATION OF
	)	COUNSEL; CERTIFICATE OF
Defendant.	)	SERVICE

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MOTION FOR EARLY TERMINATION OF SUPERVISED RELEASE

COMES NOW FREDERICK JONES by and through counsel and hereby moves this Honorable Court for an order allowing him early termination of his five year period of supervised release.

On August 2, 2004, Mr. Jones was sentenced to time served and placed on five years of supervised release with conditions as follows:

Defendant shall observe the standard conditions of supervised release. Defendant shall not commit any Federal, State, or local crimes. Defendant shall not possess illegal controlled substances. That the defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two drug tests thereafter, as directed by the Probation Office. Defendant shall participate in a substance abuse program, which must include alcohol and drug testing for the first three years of supervised release at the discretion and direction of the Probation Office. If defendant tests clean for the first 3 years, he may have the testing condition reduced or removed in the entirety. That the defendant is prohibited from possessing a firearm as defined in 18 U.S.C. 921. That the defendant is prohibited from possessing any illegal or dangerous weapons. That the defendant provide the Probation Office access to any requested financial information. That the defendant shall submit his person, residence, place of employment, or vehicle to a search conducted by the U.S. Probation Office at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of supervision. Failure to submit to a search may be grounds for revocation. The defendant shall warn any other resident that the premises may be subject to search pursuant to this condition. That the defendant perform 500 hours of community service(100 hour per year) as directed by the Probation Office. If defendant completes 300 hours of community service the first 3 years of supervised release, the last 2 years of community service may be waived, at the direction of the Probation Office. Defendant must be employed full-time or be a full-time student, or defendant must be a part-time student and employed part-time. Special Assessment: \$100.00. Defendant advised of his right to appeal. [8/10/2004

**AMENDED CONDITIONS:** Defendant shall participate in a substance abuse program, which must include alcohol and drug testing for the first three years of supervised release at the discretion and direction of the Probation Office. If defendant tests clean for the first 3 years, the testing condition may be reduced or removed in the entirety at the discretion of the Probation Office. That the defendant perform 500 hours of community service(100 hour per year) as

directed by the Probation Office. If defendant completes 300 hours of community service during the first 3 years of supervised release, the last 2 years of community service may be waived, at the direction of the Probation Office. [Documents 129, 130 and 131]

Mr. Jones has most recently been supervised by United States Probation Officer Martin Romualdez of the United States Probation Office in the District of Hawaii. USPO Romualdez indicated that Mr. Jones' adjustment to supervision has been good and that there have been no violations. Mr. Jones has been cooperative and he is in full compliance with the terms and conditions of his supervised release.

This motion is based upon Rules 32.1 and 47 of the Federal Rules of Criminal Procedure and the Declaration of Counsel attached hereto and made pursuant to 18 U.S.C. §§3583(e)(1) and 3553(a) which allows the Court to terminate a term of supervised release and discharge a defendant after the expiration of one year provided that the defendant's conduct warrants discharge and that said action is in the interest of justice.

It is respectfully submitted that under the factors set forth in section 18 U.S.C. §3553(a), the early termination of supervised release in this case is warranted by Mr. Jones exemplary conduct and that discharge would serve the interest of justice.

DATED: Honolulu, Hawaii, August 11, 2007.

/s/PAMELA O'LEARY TOWER

Attorney for Defendant FREDERICK S. JONES

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was duly served upon the following at their last known address:

Served Electronically through CM/ECF:

BEVERLY WEE SAMESHIMA      beverly.sameshima@usdoj.gov  
Assistant United States Attorney  
PJKK Federal Building, Room 6100  
300 Ala Moana Boulevard  
Honolulu, Hawaii 96813

Attorney for the United States

and by U.S. MAIL and Fax to:

MARTIN ROMUALDEZ  
UNITED STATES PROBATION  
PJKK Federal Building, Room C-110  
300 Ala Moana Boulevard  
Honolulu, Hawaii 96850

DATED:    Honolulu, Hawaii, August 11, 2007.

/s/ PAMELA O'LEARY TOWER  
Attorney for FREDERICK S. JONES